

PCT
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Cilberto, et al.	
U. S. Serial No.:	10/576,919	Case No.: ITR0041P
Filed:	April 24, 2006	
For:	ORTHOGONAL GENE SWITCHES	

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Sir:

Enclosed is the Declaration under 35 U.S.C. 371, being submitted in response to the Notice of Missing Requirements mailed October 6, 2006 (hereinafter "Notice"). A copy of the Notice is also enclosed

Please charge Merck & Co., Inc.'s Deposit Account No. 13-2755 in the amount of \$130.00, the fee for furnishing the declaration later than 30 months from the earliest claimed priority date.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, By Alexandria, Virginia 22313-1450, on the date appearing below.

By Janika [Signature] Date 11/15/06
MERCK & CO., INC.

Enclosures
Date: November 15, 2006

Respectfully submitted,

Heidi M. Struse
Heidi M. Struse, Reg. No. 50,288
Attorney for Applicants
MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
Tel.: (732) 594-0238

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,919	Gennaro Ciliberto	ITR0041P

INTERNATIONAL APPLICATION NO.
PCT/EP04/11683

I.A. FILING DATE	PRIORITY DATE
10/15/2004	10/24/2003

000210
MERCK AND CO., INC
P O BOX 2000
RAHWAY, NJ 07065-0907

DOCKETED

U.S. PATENT DEPARTMENT
OCT 1 2 2006
LORI SCHREIBER
KENNETH R. WALTON

CONFIRMATION NO. 1925

371 FORMALITIES LETTER

OC000000020726277

nml oath/dec
due 12/16/06

Date Mailed: 10/06/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/24/2006
- Copy of the International Search Report filed on 04/24/2006
- Biochemical Sequence Diskette filed on 04/24/2006
- Biochemical Sequence Listing filed on 04/24/2006
- U.S. Basic National Fees filed on 04/24/2006
- Priority Documents filed on 04/24/2006
- Specification filed on 04/24/2006
- Claims filed on 04/24/2006
- Abstracts filed on 04/24/2006
- Drawings filed on 04/24/2006
- Paper nucleotide sequence listings filed on 04/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,919	PCT/EP04/11683	ITR0041P

FORM PCT/DO/EO/905 (371 Formalities Notice)